

REMARKS

invention: Applicants were required to elect one of the following groups of

- I. Claims 1-57, 61-67, 72-80, 98 drawn to pharmaceutical compositions comprising an antibody multimer coupled or complex with an agent selected from the group consisting of anti-cancer, anti-metastatic or anti-leukemia agents, antibody multimers and kits comprising at least one antibody multimer, classified in class 530, subclasses 387.1 and 391.1.
- II. Claims 1-30, 32-47, 49, 52, 53, 55-57, 59, 61-63, 65-68, 75-80, 98 drawn to pharmaceutical composition comprising an antibody multimer coupled or complex with anti-inflammatory agents, antibody multimers and kits comprising at least one antibody multimer, classified in class 530, subclasses 387.1 and 391.1.
- III. Claims 1-30, 32-47, 49, 53, 53, 55-58, 61-63, 65-67, 75-80, 98 drawn to pharmaceutical compositions comprising an antibody multimer coupled or complex with an anti-thrombosis or anti-restinosis agents, antibody multimers and kits comprising at least one antibody multimer, classified in class 530, subclasses 387.1 and 391.1.
- IV. Claims 1-30, 32-47, 49, 52, 53, 55-57, 60, 61-63, 65-67, 69, 75-80 and 98, drawn to pharmaceutical compositions comprising an antibody multimer coupled or complexed with anti-autoimmune agents, antibody multimers and kits comprising at least one antibody multimer, classified in class 530, subclasses 387.1 and 391.1
- V. Claims 81, 84, 87-97 drawn to methods of inhibiting growth and or replication of tumor, metastatic or leukemia cells or increasing the susceptibility of tumor, or leukemia cells to damage by anticancer or anti-leukemia agents, classified in class 424, subclasses 130.1 and 178.1.
- VI. Claim 81, 82, 89-97 drawn to methods of inhibiting inflammation, classified in class 424, subclasses 130.1 and 178.1.
- VII. Claim 81, 85, 86, 89-97 drawn to methods of inhibiting restinosis and thrombosis, classified in class 424, subclasses 130.1 and 178.1.
- VIII. Claims, 81, 83, 89-97 drawn to methods of inhibiting autoimmune diseases, classified in class 424, subclasses 130.1 and 178.1.

The Applicants provisionally elect, with traverse, to prosecute the subject matter of Group I. Applicants reserve the right to file a divisional application directed to the non-elected subject matter of the other groups.

This election is made with traverse because it is believed that the claims can be regrouped into a single group. As the Examiner is aware, there are two criteria for a restriction requirement: (A) the inventions must be independent or distinct as claimed; AND (B) there must be a serious burden on the Examiner. "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct invention." MPEP § 803.

The present claimed invention in each group is independent and distinct. However, the Applicants respectfully request that all of the claims in Groups I and V be examined together since, there would not be a serious burden on the Examiner. Once the antibodies of the present invention are deemed novel and non-obvious, the method of treatment claims with such antibodies would also be novel and non-obvious. One of skill in the art cannot treat a disease if antibodies used to treat such disease were not present in the art. Therefore, a search for antibodies of the present invention also would provide art relating to the methods of treatment claims with such antibodies, since such methods of treatment claims depend on the use of the antibodies to treat a disease. .

The Applicants believe that such regrouping would expedite prosecution of the present case.


CONCLUSION

If there are any issues outstanding after consideration of this election, the Examiner is invited to contact the undersigned to expedite prosecution of this case.

Respectfully submitted,
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Dated: June 8, 2004

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